IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

I.T.A. No. 185 of 2007

Date of Decision: 24.09.2007

Commissioner of Income Tax, Chandigarh-II

…Appellant

Versus

M/s Saptrishi Investment & Trading Co. Pvt. Ltd.

…Respondent

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR

HON'BLE MR. JUSTICE AJAY KUMAR MITTAL

Present: Mr. S.K. Garg Narwana, Advocate,
for the appellant-revenue.

Mr. M.S. Syali, Senior Advocate,
with Ms. Radhika Suri, Advocate,
for the respondent-assessee.

M.M. KUMAR, J.

This order shall dispose of 11 appeals, which are fully detailed in the footnote.

It is conceded position that these appeals filed under Section 260-A of the Income-tax Act, 1961, by the appellant-revenue are covered by a Division Bench judgment of this Court in the case of **M/s Ranbaxy Holding Company v. The Commissioner of Income Tax, Chandigarh (I.T.A. No. 471 of 2005, decided on 29.9.2006)** along with many others. With regard to the appeals filed by the revenue, the Division Bench has observed in its order as under:-

"We also find that the appeals filed by the revenue are also liable to be allowed so that the Tribunal can deal with the whole issue - the issues being inter-connected."

The aforementioned observation has been made after setting aside the order of the Tribunal in appeals filed by the assessee wherein some observations have been made with regard to formulating of issues with the assistance of both the parties.

In view of the above, we follow the same course as adopted by the Division Bench by allowing the appeals of the revenue. Accordingly, the appeals are allowed. The Tribunal may deal with the whole issue as the issues are inter-connected. The parties through their counsel are directed to appear before the Tribunal on 7.12.2007, when other matters are already fixed.

These appeals[1] are disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(AJAY KUMAR MITTAL)
JUDGE

September 24, 2007

Pkapoor

[1] 1. Commissioner of Income Tax, Chandigarh-II v. M/s Saptrishi Investment & Trading Co. Pvt. Ltd. (I.T.A. No. 185 of 2007)

2. Commissioner of Income Tax, Chandigarh-II v. M/s Abhay Investments Pvt. Ltd. (I.T.A. No. 186 of 2007)

3. Commissioner of Income Tax, Chandigarh-II v. M/s Saptrishi Investment & Trading Co. Pvt. Ltd. (I.T.A. No. 187 of 2007)

4. Commissioner of Income Tax, Chandigarh-II v. M/s Abhay Investments Pvt. Ltd. (I.T.A. No. 188 of 2007)

5. Commissioner of Income Tax, Chandigarh-II v. M/s Abhay Investments Pvt. Ltd. (I.T.A. No. 189 of 2007)

6. Commissioner of Income Tax, Chandigarh-II v. M/s Abhay Investments Pvt. Ltd. (I.T.A. No. 190 of 2007)

7. Commissioner of Income Tax, Chandigarh-II v. M/s Abhay Investments Pvt. Ltd. (I.T.A. No. 198 of 2007)

8. Commissioner of Income Tax, Chandigarh-II v. M/s Abhay Investments Pvt. Ltd. (I.T.A. No. 200 of 2007)

9. Commissioner of Income Tax, Chandigarh-II v. M/s Ranbaxy Managers Welfare Ltd. (I.T.A. No. 202 of 2007)

10. Commissioner of Income Tax, Chandigarh-II v. M/s Abhay Investments Pvt. Ltd. (I.T.A. No. 203 of 2007)

11. Commissioner of Income Tax, Chandigarh-II v. M/s Ranbaxy Managers Welfare Ltd. (I.T.A. No. 206 of 2007)